CUT MOTION No. 1

Appointment of Members of the Council for works with remuneration from Public funds

Mr. A. B. Salem *(Mattancheri)*: Sir, I rise to move "*to reduce Re. 1 from the salary of the Hon'ble Minister*". The object of my motion is "*to condemn the Minister's action in consenting to the policy of appointing members of this Council for any work (with remuneration from public funds) other than that connected with this Council.*" Sir, I find that under "38—Miscellaneous" under National War Front a sum of Rs. 8,675 has been provided for the following.—Honorary Assistant Organiser Rs. 100, Lady Assistant Organiser Rs. 75, 2 Divisional Organisers on Rs. 75, a clerk on Rs. 25, allowance to the Minister's clerk Rs. 15, one peon on Rs. 12, one driver mechanic, etc., etc. Sir, I have no objection to the Minister's clerk and peon getting an allowance, but I have serious comments to make upon the question of paying honorarium to Assistant Organiser, Lady Organiser and Divisional Organisers. My reasons are that when a member of this House belonging to a party or belonging to this House receives money consideration for any work unconnected with this Council, he undermines his own full conscience inside this House.

Mr. K. M. Ibrahim *(Cranganur)*: What about your Rs. 4—8—0?

Mr. A. B. Salem *(Mattancheri)*: That is why I stated for work unconnected with this Council. We are asking for a pay. Parliamentary work also requires pay and allowances from the public revenues for doing that particular work and not for any other work. Now when you are paid for work unconnected with this Council, human nature being what it is, your criticisms upon Governmental action will be coloured to some extent. Supposing you are to lose a large sum of money by taking an opposite view to that of the Hon'ble Minister, you may have the fear in your mind that some reason or other can always be found and you will be deprived of that allowance. With that fear you cannot be independent. There must be neither fear nor favour in doing public work, and you must have no fear or favour colour in yourself but you must also appear to the public that you have no fear or favour to lose. Yesterday you had the picture of a person being called an attender by a play of the word and another man who has no right to appoint got the right of appointment. Similarly by a play of the word you should not lose the substance. Whether you call it allowance, honorarium or salary it is quite immaterial. My humble submission before the House is that when members are receiving a monthly allowance during the war or till the National War Front Organisation ceases they should have resigned their memberhip here and carried on their work by allowing other members to come in their places to do their work which they are doing here. Now you are sitting here for today. You get your salary there and you get your allowance here. That is unfair to the public funds, unfair to your work in this House and unfair to the prestige and dignity of this House and I cannot for one suffer to see that without at least commenting upon it. We know today that this part of the House is not strong enough perhaps to carry this condemnatory motion. But your conscience will prick you, *(hear, hear)* and you will yourself say that it is not correct. I was gratified yesterday that the Hon'ble Minister stood up and said "I made a mistake". He confessed his mistake. I was pleased at his attitude when he said "I shall make amends".

Mr. K. M. Ibrahim *(Cranganur)*: On a point of order that is not relevant. It is a matter completely extraneous to the proposition in hand.

Mr. President: He was using it as an illustration.

Mr. A. B. Salem *(Mattancheri)*: That is the point. An honest mistake has been committed and we accepted that. What I say is we could have said that when the question was put he should have got all that information and should have come here with the fullest information. But I have no case upon that. I don't want to censor him upon that. In this case it is not so. What is the National War Front doing? The National War Front is doing propaganda work. Before that the War Committees used to do that. We had fifty organised meetings in my constituency of Mattancheri presided over by non-official men, out of all classes of people, merchants, lawyers, teachers, doctors and others, and not a singl· pie of remuneration was received by anybody. College students have been going about in the van and doing propaganda work throughout the length and breadth of Cochin. They never got any allowance. People accepted them, welcomed them, they gave them little tea and moved them to the next station where they were treated alike by the public. That is the spirit in which this National War Front work should be done. I am sorry that one of the Minister's action is to appoint men of his party and that from the other parties that have joined him. Therefore it

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gives a bad colour. If it was done by the reserved half you would not be responsible at all. If it was done by the Diwan we could have attacked him much better. Now it is done by the Minister responsible to the House and to the public at large. Therefore, the public cannot view without consternation this undermining and tambering with the full liberty, freedom of action and independence of the Members of this House. *(Hear, hear)* Sir, I have tabled this motion for the dignity and prestige of this House. This war campaign had met with considerable success and the charge has now been handed over to the Hon'ble Minister. I don't question that. My case is that the *morale* of this House is being undermined in doing that. If the Minister is to be assisted by a non-official staff everybody would like that the non-official staff should do only non-paying work. But the real fact is that *the non-official staff is doing paid work and sit in this House.* This House has always protested even against part time officers of the Government coming here. When the deceased Mr. M. K. Raman accepted a part time job we protested here although the Government ruled that he could still continue to be in the House. Therefore, the same kind of protest we make today against those members sitting in this House and receive public money for work unconnected with membership inside this House. Is this a non-party business? Every male member that is appointed is from the other side. We have only two female members and they both sit with us and I like to sit with them. You may be envying me *(Laughter)*. I have examined the case of a lady from our party accepting that job. I am told that the Lady Member would certainly have refused the offer, but for the fact that her husband is a Government servant serving in the Port and she has been herself secretary of an organisation connected with the war work and when additional war work was offered to her, she could not possibly refuse because she may have been misunderstood. But for that fact she would have refused. This is the information that I gathered. I took objection to this lady receiving this honorarium for this National War Front work. I said that if this kind of thing is sanctioned by my party I would not be a member of the party. Therefore, Sir, I commend this motion more as a protest and as an eye-opener for the Minister than for unseating him. I do not wish that this should be treated by him as a censure motion and if he would accept the blame and it can be rectified I would be very glad, as he had done in the case of the attender store-keeper yesterday. There is no dearth of young men with necessary qualifications who could be harnessed for this kind of propaganda work. Instead of three organisers you can get six organisers at Rs. 50 each. They would have no other work and they will devote all their time than the members of this House for this work. If the Minister would accept such a proposition and promise rectification I will be glad to withdraw this motion. Otherwise I shall press it to a division and take the result.

Mr. A. V. Moothedan *(Chalakkudi)* : Sir, I oppose this cut motion. Now, there is much in common between cut motion numbers one and two which I am going to move.

Now, my point is this—what my friend suggested is quite correct in ordinary times. But now we are in an emergency and the ordinary laws are kept in abeyance or amended. If we follow the example of the British Parliament my friend will be satisfied and he will withdraw the motion. I have got the proceedings with me. In the British Parliament, there are now 80 or 90 members who are serving in the Air Force, Navy and the Land Forces and who are still retaining their membership of the House of Commons. Besides that, Sir Samuel Hoare, the British Ambassador in Madrid, is a member of the Parliament. Lord Halifax is a member and Mr. MacDonald, the High Commissioner for Canada, is also a member of the Parliament. There are 80 or 90 members in the Parliament drawing salaries and carrying on this kind of work connected with the war. National War Front work is a work connected with the war and therefore there is no objection in a member being appointed for this work. The objection is really with regard to the method. For that the Hon'ble Minister has not amended the law. My point is not regarding the appointment. But he ought to have done it with the sanction of the House.

Mr. A. L. Antony *(Irinjalakkuda)*: Is it a transferred subject. Does the Minister do this work in his capacity as the Minister administering the transferred subject or in his individual capacity.

Mr. M. Sivarama Menon *(Advocate-General)*: My information from the files that were forwarded to me from the Secretariat in connection with an allied subject is that the Hon'ble Minister has accepted this position as the Leader of the State and not in his capacity as the Hon'ble Minister.

Dr. A. R. Menon *(Trichur-North)*: But in the order you said "under the charge of the Hon'ble Minister" and not under the charge of the Leader of the State.

Mr. M. Sivarama Menon *(Advocate-General)*: The Hon'ble Minister has accepted this work as Leader of the State and not in his capacity as the Minister. My Hon'ble friend is most probably referring to the Budget Head.

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Dr. A. R. Menon *(Trichur-North):* How was this prominence given. Is it not because of the position he occupies as the Minister?

Mr. M. Sivarama Menon *(Advocate-General):* It may be a co-incidence. I cannot say that it is the sole criterion because any other person could have been called upon to accept this leadership.

Mr. C. R. Iyyunni *(Trichur-South):* May I know whether it is the Government who is paying the honorarium or the non-party leader, Mr. T. K. Nayar.

Dr. A. R. Menon *(Trichur-North):* We have raised certain points now. Unless we hear any justification for the action there is no use of repeating these statements. So after hearing the explanation from the Hon'ble Minister if we think it is necessary to proceed further with this debate we propose to do so.

Mr. A. B. Salem *(Mattancheri):* The practice of this House has been like that.

Mr. President: The Minister will reply and then the Mover of the motion will have a right of reply.

***Dr. A. R. Menon** *(Trichur-North):* Sir, It was announced in the papers some time back that a National War Front was constituted under the direct supervision and guidance of the Hon'ble Minister and many of the functions discharged till then by the War Secretary and the Committees were transferred to the Minister. Sir, what is the purpose of this National War Front? The main purpose as I understood is to carry on propaganda to make the people war minded and also to encourage the cultivation of food products and other subjects akin to the proper conduct of the war. Sir, I have not the least doubt that the members selected for this purpose are the most suitable men indeed. The oratorical capacity of my friend Mr. Viswambharan and the brilliant debating abilities of Mr. Devassy combined with the scientific treatment of communism by my friend Mr. Ibrahim, who is one of the leaders of communists, combined with in combination with these three I have not the least doubt that a profound impression will he produced upon the audience who listen to them. But if this combination is not sufficient, there is my sister-in-law, the lady member like the Queen of Jhani of immortal fame, with glowing face and flowing hair, with a flaming sword in her hand upon a steaming steed will produce a profound impression upon the people. *(Laughter)*. Now, Sir, it is stated as the combined exertion of this board a great transformation is effected in this State. I travel the State as much as any one of you and I understand the psychology of the people of this State as much as any of you and I confess to you that I have not been able to make out any startling change in them within the four months after the constitution of the committee. The truth of the matter is the people of the State are intelligent enough, are educated enough, to understand facts and figures, to understand and appreciate the real sitution and it does not require very much persuasion for them to come to a certain decision in matters of this kind. If a change was effected certainly I do not see superficially more probably because the flame is burning within their hearts and it will burst forth at the most appropriate moment My point is not the incapacity of the Members who constitute this Board to carry on the work entrusted to them but an underlying principle which must be true to every member of this House whether he sits on the Government side or on the opposition side that nothing shall be done which may be construed, which may even have the least possibility of being construed as an act—I won't use the word "corruption"—that would influence the absolute independence of the Members of this House and I would assert, Sir, that in my view the independence and the integrity of this House will seriously be undermined if monitary satisfaction is given to the Members of this House. I consider that it is an encroachment upon the independence of this House, and unless an absolute necessity arises and unless the Government are satisfied and the people are satisfied and this House is satisfied the Members should not be induced, should not be given any inducement whatsoever, especially by the Government. What is taking place, Sir? When people are employed—I call it an employment because it was put as a full-time employment and only to get over that section it was changed to half-time. In the original order the word "full-time" is mentioned and it is struck off and "half-time" is instituted in order to get over the difficulty of that section. I am asking the Government why should they do this sort of thing? I am asking the Minister why should he not consider that his action may be open to some other interpretation. What is happening? Here is a party which came from various fragments to form a united party which at the same time proclaimed its own independence and we see two leading members of the party who joined in coalition are the very people who were selected for this place. I remember very well the Minister sitting here and proclaiming loudly that, so long as I am alive—Sir Shanmukham was sitting there—I shall never be tempted to form a coalition or to accept office as the coalition Minister. That took place only 9 or 10 months

* Speech not corrected by the Hon'ble Member

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ago. My point is this, that this inducement is offered so that the coalition of the party may be kept together and the Minister may sustain his position there. Who says no? It may be so or it may not be so. But he exposed himself to such a charge being brought forward by us. I understand a little of politics and know there is no walk of life devised by the ingenuity of man which is so disgraceful, so disgraceful as the game of politics. There is no honesty and belief under the name and in the guise of politics will do things which any self-respecting man in his private dealings will not even think of doing. I am equally guilty. That is the nature of politics. It demoralises and degenerates a man and the best among us could only claim intellectual honesty or at least guilty of intellectual dishonesty. In a game like this when an action is taken it should be understood that the worst motive will be attributed to the action whatever be the motive, however noble the motive may be. Knowing that the Hon'ble Member was in this House for a long time and knows politics, knowing this, it would have been much better for him not to have anything to do with the nomination of his own party members for posts which fetched a salary or honorarium.

Mr. K. S. Panickar *(Ezhuvas-Mukundapuram):* Not only from his own party. There are members from other party also.

Dr. A. R. Menon *(Trichur-North):* I know that. She gave you a reply also. We have got sufficient commonsense to know the move that you generally take. Therefore, Sir, it is necessary that this question must be discussed here. The people are asking this question whether the Government wanted to bribe the members of the Legislative Council so as to keep the members under their control. They are asking "Have the Legislative Council Members sunk so low that they should take this pittance and sacrifice their own interests"? When this committee addresses a meeting the people listen to them with great respect and appreciate their view points. But a whisper goes through the audience that they are only paid propagandists. Then they find in their idle clay feet.

Mr. K. M. Ibrahim *(Cranganur):* Including the Minister?

Dr. A. R. Menon *(Trichur-North):* Some people would make them intelligible enough and several have the self-respect to keep their mouth shut.

Mr. K. M. Ibrahim *(Cranganur):* If you don't like interruptions I won't interrupt.

Dr. A. R. Menon *(Trichur-North):* If you will make me understand what your interruption is I will answer. Why are you so very anxious?

Mr. K. M. Ibrahim *(Cranganur):* My question was his position was that there would be a whisper among the audience that all these speakers are paid servants. I am asking whether he is including the Hon'ble Minister also?

Dr. A. R. Menon *(Trichur-North):* Sir, I wanted to avoid that subject. Now you draw it I will do it. It is my information that the Minister has also demanded Rs. 100 for this work. I wanted to avoid that. But you compelled me to say that. I am asking the Minister whether he has asked for that?

Rama Varmha Tampuran *(Secretary to Government):* It is not a fact.

Mr. K. Ayyappan *(Ezhuvas-Kanayannur):* Has the Minister refused to accept it.

Mr. C. R. Iyyunni *(Trichur-South):* Sir, something must have preceded this refusal. What is that?

Rama Varmha Tampuran *(Secretary to Government):* Sir, I shall explain. The War Publicity Officer who is also the State Organiser of this movement under the Minister in his proposals asked the Government whether any suitable allowance should be given for T. A. and increased petrol charges to the Minister in connection with the large number of tours that he will have to make and when the Minister came to know of that he informed the Government that he did not want any allowance. There the matter ended.

Dr. A. R. Menon *(Trichur-North):* I can understand your position. I was sitting myself there and I know what kind of answer you are expected to give in this Council. I have no complaint. I am not a man to make an unfounded charge without ascertaining the facts. I assure the House that I would not make a charge of this kind before I care to find out the facts.

This is the position and the only object is to show that an error of judgment has been committed. Knowing the Minister as I do I am fully satisfied that it is an error of judgment. But all the same it involves a principle of the House and because it involves a principle we thought it necessary that this question should be freely discussed in this House.

Mr. V. J. Mathai *(Planters):* Sir, I want to make it clear at the very outset, that nobody is against vigorous war efforts in Cochin. We know that it is necessary to withstand the onslaught

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of adventurers who rape peaceful countries and that every effort in that direction should be encouraged. But at the same time I cannot support the idea that you could tamper with the independence of the Members of this House in the name of war efforts. Mr. Moothedan was telling us that Viscount Halifax is accepting a salary while continuing as a Member of the House. Conditions here are peculiar. Out of 58 members 20 are nominated. It is only 38 that is left to us and with bare ten more the Government gets a majority. Conditions in the Cochin State are therefore entirely different. Probably the fate of the Minister may depend upon the vote of three or four members. The fate of the Minister hung in the balance on account of one note because it became 19 for and 18 against at one time. Therefore I say conditions in the Cochin State are peculiar.

The other question that immediately arises is this; whether the acceptance of a salary will not undermine the independence of the members. (A voice. It is not salary. It is honorarium). Salary and honorarium mean money and I do not find any difference. A perusal of the rules under the Municipalities Act will show that no contractor who has anything to do with Municipal Council contracts can ever be a member and will be disqualified. I fully justify that rule. When I make this statement that accepting a salary will certainly be tampering with the independence of the members I only refer this House to the questions and answers which formerly filled several pages out of which many were entirely due to my friend Mr. Viswambharan. Where have all of them gone? Where are all those violent speeches now? This House was reverberating with splendid orations in Malayalam and in English from those members who are now been paid. Where have all of them gone. The Mark Antonies are silent today *(Laughter)*. It is not with the object of casting aspersion upon anybody that I say this. I beg your pardon if you ever think so. I feel that if I had an eye upon a Government post I will be certainly different from what I am today. Man is like that.

I would go further and say that there is an invidious distinction between other war workers and these war workers. Take the case of Presidents of Taluk War Committees. Ask Mr. Kutty what all work he is doing as President of the Taluk War Committee. What is the justification in drawing a distinction between other war work and this war work. Are there not other B.A.,B.L.s doing honorary work in Trichur? Have you not an Assistant in Trichur of greater standing or with equal standing? What salary are you paying? What is the meaning in drawing this distinction between workers.

Then again, it is a dangerous precedent, Sir, to give this power to the Minister who is dependent upon the votes of one or two. At the last no-confidence motion it was 22 versus 19. I can assure this House that of the three members, whom he has taken from his party one who belonged originally to his party subsequently ran away from it, formed a new party, competed with Mr. T. K. Nayar for the Minister's post, for the position of the leader of the opposition And when he comes back he is given a job. Is it not an effort to tie him round to the tail of the Minister, to ask him to vote for him..... I say, state things boldly and then let the Government decide. I am feeling that in the head of the administration we have a fair impartial judge of affairs. I am fearlessly putting this matter before him.

Further Sir, you are paying your Legal Remembrancer only Rs. 150. You are paying a Magistrate, a full time officer who has to do home-work top Rs. 125 and you are paying Assistant Surgeons in the State Rs. 125. You are paying zero to several Assistant Surgeons who do equal work. What is the justification for paying Rs. 100 and Rs. 75 to people who have to address at their leisure hours a few meetings and come away?

Mr. M. K. Devassy *(Adur)*: The Hon'ble Member is absolutely wrong. I want to correct him. In the course of a month we have held 30 meetings, two meetings a day, travelling from one end of the State to the other.

Mr. V. J. Mathai *(Planters)*: Oh! that is three rupees for a meeting! Good! that is the price.

One other matter and I am done. That other matter is that if an independent person goes to the people and tell them anything it will have more value than the paid man. We have got [illegible] who go to preach the Bible with an audience of three or four persons. (A voice: Do not the people pay heed to them?). But their independence is questioned because they are paid underlings. Nobody listens to them. The people say "You are paid men. You repeat what your masters ask you to repeat". In the interests of the war effort, it is better to have honorary men. Sir, you may call for a list of those who are prepared to do voluntary, honorary work. Though people of equal oratorical powers may not be available, I can assure you that there are many in this House who are prepared to give their services free and their words will be looked upon with greater value. I am therefore entirely in agreement with this motion.

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Puthur Achyuta Menon *(Kattur)*: I rise to oppose this motion. I rise to oppose this, Sir, because it is a motion which does not come either with courtesy or with courage. When my hon'ble friends say that we are all for war effort, and then attack the Hon'ble Minister for his War Front activities, I say the attack is without courage. I am one Sir, who says that if a motion is tabled to condemn the Minister for accepting the National War Front propaganda, we can admire them and I can appreciate the arguments. Having said you must accept it, they say that, giving some remuneration is something which cannot be appreciated by this House. They are not courageous enough to say that the Hon'ble Minister is wrong in accepting the National War Front propaganda programme. They are not courageous to say that the Hon'ble Minister as the Leader of the Transferred Departments, had no business to accept it. Now, what is the grumble in this cut motion. The Minister has appointed some members of his party. If it is the grievance in the motion that the Minister has appointed some members of his party for the National War Front propaganda, we can answer that position. That is not the problem The motion is to condemn the Minister's action in consenting to the policy of appointing members of this Council for any work. My humble submission to this House is that it is really a reflection on the capacity of the Members of the Cochin Legislative Council to organise people in this country. Unless and until the people of the Cochin State say that we are not the fit persons to go throughout the whole country and organise and we are not the proper persons to carry on propaganda work in different parts of the State, I think we are the proper persons to do propaganda work in the Cochin State. What has the Minister done after all? He has appointed some members of the Cochin Legislative Council to do propaganda work in different parts of Cochin State. My humble submission is that the Minister has acted correctly and wisely. The Minister has only honoured the privileges of the members of the Cochin Legislative Council. The Minister in selecting the members of the Cochin Legislative Council has shown to the public of Cochin that the Members of the Cochin Legislative Council are the fit persons to go throughout the country and do propaganda in different parts of Cochin State. The Minister has not done anything more than that. If the grievance is that the Minister has appointed members of his party, I can answer that argument, because it is but proper to appoint people in whom he has got confidence for a work also, which he has undertaken to carry out. Fortunately we see one member from the other party also included one lady member.

Mr. A. B. Salem *(Mattancheri)*: There is no lady member in your party.

Mr. Puthur Achyuta Menon *(Kattur)*: Even then, my hon'ble friend must understand there are ladies who can as well support us.

Mr. V. J. Mathai *(Planters)*: No lady will join your party. *(Laughter)*

Mr. Puthur Achyuta Menon *(Kattur)*: As one lady member has already joined, the argument is baseless. That will be a very bad reflection on the lady member, especially when it comes from my hon'ble friends who are equally interested in that lady. It is not our business Sir to attract any lady to our party. We fully know we cannot do it. We are certain that we are not in a position to take that lady to support our party activities. It is not that consideration that weighed with us when the post was offered to her.

There is another thing also, even though it is quite irrelevant for the purpose of argument. The Minister is appointed as the State Leader of the National War Front. There is a great responsibility the moment he has accepted it to see that it is properly conducted and it is no wonder, Sir, that the Minister has appointed persons who he thought, will sincerley help him. It is generally the practice everywhere in the world that a man who has taken some responsibility will select only men who can carry on propaganda according to his instructions. That is what the Hon'ble Minister has done. He has not done anything wrong.

Mr. M. K. Devassy *(Adur)*: Mr. President, Sir, I was thinking for a moment whether it is not better that I do not participate in the discussion at all out of sheer sense of delicacy. But I was feeling, as the discussion proceeded, that I would be failing in my duty to the Cochin public and to the constituency I represent if the reflections that have been cast on the non-official character which I hold in this House go uncontradicted. Let me make it clear at the very outset that I do not for a moment want to attribute motives to the motion before the House. On the other hand I take it that the motion is probably the outcome of a particular political consciousness of that hon'ble member who believes that this will undermine the prestige of the hon'ble members of this House. *(Hear, hear)* It is quite possible that there may be room for differences of opinion in this matter. But what I want to impress on this House is this. It is not a question of personalities and it is not a question of members. I may as well concede that there may probably be many abler members in this council who could have been better appointed in my place. That is not the question at all. I am for preferring members of the Cochin

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Legislative Council for carrying on propaganda work, because so far as I have studied, the National War Front movement, it is the result of the realisation that a proper lead should be given to the people of the country from persons who command the confidence of the people. The very movement is intended to improve the public morale by bringing the people of the State together and infusing into their minds that confidence which is absolutely required in a time of peril like this. I would ask the hon'ble members who sit in this House whether there are better people in the Cochin State who by virtue of the position they hold among the public are capable of infusing that confidence in the public than the members of this House. This work is not a part of the Council work. But I would go to the extent of saying that it is the self-confidence in a member of this Council that he commands the confidence of the people of this country and that he is in a position to organise the people against a common danger that should govern our policy in this matter. Therefore, Sir, if the National War Front movement is intended to organise the Cochin public to face a common danger, I believe the House will be one with me in thinking that the persons best suited to organise the people are the very representatives of the people. Therefore irrespective of personalities, irrespective of the choice made by the leader of the National War Front, I stand for the principle that in organising the country at a time of peril, the members of this House are the very best persons to do it.

Now, Sir, another point on which I wish to dwell is whether this will not undermine the integrity of the members of this party so far as their relations with the Government are concerned. I am very happy, Sir, that this motion comes at least one session after my appointment. And I would put it to any member of this House, I would challenge every non-official member of this House to point out a single instance where myself and my colleagues have failed in their duty to the country. I would put it to them that I have opposed the Government more times than any of the members of this House and I would inform the Government that if they feel that myself and my colleagues can be purchased for a sum of money, it is a grievous blunder that they could commit.

Mr. A. V. Moothedan *(Chalakkudi)*: It is only a general principle.

Mr. M. K. Devassy *(Adur)*: I say the anticipations and fears entertained by you have no foundation and they are repudiated by the very conduct exhibited on the floor of this House by the members who participate in the propaganda. There is nothing more eloquent than facts, and when you face facts you will not be in a position to attack the members who participate in the propoganda work of the National War Front that they have sold either the honour of the House or their duties to their constituencies whom they represent by selling themselves to the Government in their own interest against public interest.

Mr. A. B. Salem *(Mattancheri)*: The hon'ble member for planters has answered that.

Mr. M. K. Devassy *(Adur)*: Sir, I do not wish to add anything more: I just wanted to offer a personal explanation which I think it is my duty to offer.

*മിസ്റ്റർ ടി. കെ. നായർ: സർ, നമ്മുടെ മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു് ഭയവായി ദേശീയസമരനിരയുടെ നേതൃസ്ഥാനം വഹിക്കേണ്ടതായ ഭാരമേറിയ ചുമതല എന്നിൽ അർപ്പിച്ചു. അതിന്റെ ചുമതല എത്രത്തോളമുണ്ടെന്നും എന്തെല്ലാം കാര്യങ്ങളാണു് ഞാൻ നടത്തേണ്ടതെന്നുമുള്ള സംഗതികളെപ്പറ്റി നല്ലവണ്ണം വളരെ ദിവസമിരുന്നു് ആലോചിച്ചതിന്റെ ഫലമാണു് ഞാൻ അതു സ്വീകരിച്ചതു്. അങ്ങിനെ ഒരു ഭാരമേറിയ ചുമതല ഞാൻ സ്വീകരിച്ചതിനു ശേഷം ആ ചുമതല എന്നാൽ ആവുംവിധം നിറവേറ്റാതെ വെറും പേരിനു നാഷണൽ വാർഫ്രണ്ടിന്റെ ലീഡർ എന്ന നിലയിൽ അടങ്ങി യോജിച്ചിരിക്കുവാനുള്ള ഒരു മനഃസ്ഥിതി എന്റെ രക്തത്തിൽ ലേശമെങ്കിലുമില്ല. ആ നിലക്കു ഞാൻ ഗൌരവമായി ആലോചിച്ചു, ആരെയെല്ലാമാണു് എന്റെ ഉദ്ദേശസാദ്ധ്യത്തിനു സഹചരന്മാരായി ഏറെറടുക്കേണ്ടതെന്നു്. ആ ഒരു ചോദ്യത്തിനു എന്റെ മാന്യസ്നേഹിതന്മാർ മറുപടി പറയുന്നപക്ഷം ഞാൻ ചെയ്തിട്ടുള്ള പ്രവൃത്തിയെ ഒരുതരത്തിലും കുറച്ചുകെട്ടുവാൻ സാധ്യമല്ല. അതു നു് എനിക്കു വിശ്വാസമുള്ളവരെ ഞാൻ നിയമിച്ചു. എനിക്കു വിശ്വാസമില്ലാത്ത ആളുകളെ നിയമിച്ചുകൊണ്ടു കൊച്ചീരാജ്യത്തിന്റെ നാനാഭാഗങ്ങളിലും നാഷണൽ വാർഫ്രണ്ടിന്റെ കീഴിൽ പ്രചരണം നടത്തുവാനുള്ള പ്രാപ്തിയും യോഗ്യതയും എനിക്കില്ലെന്നു ഞാൻ ഇവിടെ തുറന്നുപറയുന്നു. അതുകൊണ്ടു മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു് എന്നിൽ അർപ്പിച്ചിട്ടുള്ള വിശ്വാസം ശരിയായി നിറവേറണമെന്നുണ്ടെങ്കിൽ എനിക്കു വിശ്വാസമുള്ളവരെ മാത്രം ഞാൻ നിയമിക്കണമെന്നുള്ള ആ ഒരു തത്വം എന്റെ സ്നേഹിതന്മാർ വകവെച്ചുതരുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

മിസ്റ്റർ വി. ജെ മത്തായി: പാർട്ടിയിൽ പെടാത്ത ആളുകളെ വിശ്വാസമില്ലേ ?

* Speech not corrected by the Hon'ble Member.

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മിസ്റ്റർ ടി. കെ. നായർ: എനിക്ക എതെയെല്ലാം വിശ്വാസമുണ്ട് എന്നുള്ളതല്ല ഇതിലുള്ളത്. എനിക്ക വിശ്വാസമുള്ള ആളുകളിൽ ചിലരെ ഞാൻ ഇതിനു തിരഞ്ഞെടുത്തു എന്നു മാത്രം ധരിച്ചാൽ മതി. എനിക്ക ഈ രണ്ടുമുന്നു ആളുകളെ കൂടാതെ കൊച്ചിരാജ്യത്തു പല ആളുകളേയും വിശ്വാസമുണ്ട്. പക്ഷെ അവരെയെല്ലാവരേയും ഈ സ്ഥാപനത്തിൽ വെക്കുവാൻ കഴിയുകയില്ല. അതുകൊണ്ട് ഞാൻ ഇതിലേക്ക അനവധികാലം പൊതുജനസേവനം നടത്തി കൊച്ചു രാജ്യത്തിലെ പൌരലക്ഷങ്ങളുടെയിടയിൽ സുപ്രീസ്സുള്ളവരും പൊതുക്കായ്പ്രവർത്തകന്മാരുമാണെന്ന അവരുടെ പ്രവർത്തനങ്ങളെക്കൊണ്ടു പ്രത്യക്ഷപ്പെട്ടിട്ടുള്ള ചില മാന്യസ്നേഹിതന്മാരെ എന്റെ സഹചരന്മാരായി തിരഞ്ഞെടുത്തു. മിനിസ്റ്റർസ്ഥാനം നിലനിർത്തുവാനായിക്കൊണ്ട് ഞാൻ ഈ അനുദ്യോഗസ്ഥസാമാജികന്മാരെ ശമ്പളം കൊടുത്തു നിയമിച്ചു എന്നു പറയുന്നതിനു വലിയൊരു മറുപടി പറയേണ്ട ആവശ്യമുണ്ടെന്നു എനിക്ക തോന്നുന്നില്ല. എന്റെ മാന്യസ്നേഹിതന്മാരെ ഞാൻ ഒന്ന് ഓർമ്മപ്പെടുത്തുന്നു. ഇതിനുമുമ്പായി കിടന്നിരുന്ന പല കക്ഷികളെ കൂട്ടിച്ചേർത്തുണ്ടാക്കീട്ടുള്ള ഒരു കക്ഷിയാണ് ഞങ്ങളുടെ യൂണിയനിസ്റ്റ് പാർട്ടി എന്നു് എനിക്കു് ഓർമ്മയുണ്ടു്. ഇങ്ങിനെ ഒരു കക്ഷിയുണ്ടാക്കിയ സന്ദർഭത്തിൽ നാഷണൽ വാർഫ്രണ്ടു് ഉണ്ടായിരുന്നില്ല എന്നു് ഓർമ്മവെക്കണം. ആ അവസരത്തിൽ ൭൫ രൂപായൊ അമ്പതു രൂപായൊ ൫൦൦ രൂപായൊ ശമ്പളം കൊടുക്കാമെന്നുള്ള ഒരു വാഗ്ദാനംകൊണ്ടല്ല അവർ എനിക്ക വോട്ട നൽകിയതെന്നു എന്റെ മാന്യസ്നേഹിതന്മാർ ഓർത്താൽ മതിയെന്നു ഞാൻ തുറന്നുപറഞ്ഞുകൊള്ളുന്നു (ഹിയർ, ഹിയർ). ഭാവിയിൽ ഇങ്ങിനെ ഒരു നാഷണൽ വാർഫ്രണ്ടു് ഓർഗനൈസേഷൻ ഉണ്ടാകുമെന്നും അതിൽ ശമ്പളം നൽകുവാൻ അധികാരം കിട്ടുന്നപക്ഷം അതു തങ്ങൾക്ക കിട്ടുമെന്നും കരുതിയല്ല അവർ എന്നെ ഈ സ്ഥാനത്തേക്ക കയറ്റിയിരിക്കുന്നതെന്നു് അവർ ഇരിക്കുന്ന ഈ സഭയിൽ ഞാൻ തുറന്നുപറയുന്നു. ഈ നിയമനത്തിൽ മന്ത്രിസ്ഥാനം നിലനിർത്തുവാനായി യാതൊന്നും പ്രവൃത്തിച്ചിട്ടില്ലെന്ന അവരുടെ പാർട്ടിയിൽ ഇരിക്കുന്ന ലേഡിമെമ്പർ അവർകളും കൊച്ചീരാജ്യത്തെ പതിനാലു ലക്ഷം ജനങ്ങളുടെ അറിവിനു വേണ്ടയെങ്കിലും തുറന്നുപറയുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു. ഞാൻ അവരോടു വോട്ടു് ആവശ്യപ്പെട്ടിട്ടില്ല. ഇതിനു ഒരു നോൺപാർട്ടി കളർ കൊടുക്കേണ്ട ആവശ്യത്തിനു മാത്രമാണു് എനിക്ക അവരുടെ സഹായം അത്യാവശ്യമായിവന്നതെന്നു മാത്രമല്ല ഞാൻ പറയുന്നതു്. ഇനി കൊച്ചീരാജ്യത്തെ ഏതെങ്കിലും വനിതയെ നിയമിക്കണമെങ്കിൽ വനിതകളെ പ്രതിനിധീകരിക്കുന്ന ഈ വനിതയോടു ചോദിച്ചിട്ടു വേണമെന്നു കരുതിയാണു് ആദ്യമായി ഈ ലേഡിമെമ്പരോടു ഇതു സമ്മതിക്കുമൊ എന്നു ചോദിച്ചതു്.

Mr. A. B. Salem *(Mattancheri)* : What I understood from your speech was that you selected men in whom you have confidence and you are not prepared to appoint men in whom you have no confidence and that therefore your selection was a just selection. Now, you say that you have selected the lady member who sits on this side. I only ask the question, how do you reconcile the two. Because she represents a part of the womankind in Cochin, how do you have confidence in a member of a party in whom you have no confidence and who voted against you?

Mr. T. K. Nayar *(Minister for Rural Development)*: I thank the hon'ble member for giving me this opportunity for answering that aspect of the question.

ഞാൻ എനിക്ക വിശ്വാസമുള്ള ചിലർ എന്നു പറഞ്ഞതു് എന്റെ മാന്യസ്നേഹിതൻ തെറ്റിദ്ധരിച്ചുപോയി. അദ്ദേഹത്തിനു പോളിറ്റിക്സു എന്നും പാർട്ടിയെന്നും മാത്രം വിചാരമുള്ളതുകൊണ്ടാണു് അങ്ങിനെ ധരിച്ചുപോയതു്. എന്റെ മാന്യസ്നേഹിതനായ സേലത്തെ എനിക്ക വിശ്വാസമാണു്; ഡോക്ടർ എ. ആർ. മേനോൻ അവർകളെ എനിക്ക വിശ്വാസമാണു്; എന്റെ ഓപ്പോസിഷനിൽ ഇരിക്കുന്ന സകല മെമ്പർമാരേയും എനിക്ക വിശ്വാസമാണു്. പൊതുസേവനത്തിനു നിങ്ങളെല്ലാവരേയും എനിക്ക വിശ്വാസമാണു്. എനിക്ക വോട്ട നൽകുവാൻ നിങ്ങളെ വിശ്വാസമില്ല. ഞാൻ വിശ്വാസത്തിനുവേണ്ടിമാത്രമല്ല എന്റെ മാന്യസ്നേഹിതന്മാരെ തിരഞ്ഞെടുത്തതെന്നു് എന്റെ മാന്യസ്നേഹിതന്മാർ മനസ്സിലാക്കിയാൽ കൊള്ളാം. ഇനിയും ഞാൻ തുറന്നു പറയുന്നു, ലേഡിമെമ്പറിൽ എനിക്ക വിശ്വാസമുണ്ടു്; അവരിൽ അർപ്പിച്ചിട്ടുള്ള സകല ഭാരവും അവർ ഏറെറടുത്തിട്ടുള്ള സകല ഭാരവും വളരെ നല്ലനിലയിൽ എത്തിക്കുവാൻ അവർക്ക സാധിക്കുമെന്നു പരിപൂർണ്ണവിശ്വാസം എനിക്കുണ്ടെന്നു്. എന്നാൽ ഇന്നൊരു അവിശ്വാസപ്രമേയം വരുകയാണെങ്കിൽ അവരുടെ വോട്ട് എനിക്ക തരുമെന്നുള്ളതിനു് എനിക്ക വിശ്വാസമില്ല. എനിക്ക വോട്ടുചെയ്യുവാനുള്ള ആളുകൾ വേറെ ധാരാളമുണ്ടു്. ഇതാണു ഞാൻ വിശ്വാസമുള്ള ചിലരെന്നു പറഞ്ഞ

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തു". കാര്യങ്ങൾ തുറന്നു പറയുകയാണു". മിസ്റ്റർ മത്തായി പറഞ്ഞതുപോലെ കാര്യങ്ങൾ തുറന്നു പറയാം.

മിസ്റ്റർ ഇസ്മായിൽ ഹാജി ഈസാ സേട്ട്": നോ-കോൺഫിഡൻസു കൊണ്ടുവരുന്നതിനു കാരണം വേണ്ടേ?

മിസ്റ്റർ ടി. കെ. നായർ: കാരണം ഒന്നുംവേണ്ട. ഭൂരിപക്ഷംമാത്രമുണ്ടായാൽ മതി. പിന്നെ നാഷണൽ വാർഫ്രണ്ടു് ഓർഗനൈസേഷൻ ഏറെറടുത്തിട്ടു് അതു ഭംഗിയായി നടത്തുവാൻ നോക്കാതെ അതിന്റെ പ്രവർത്തനത്തിനു നിയമപര ശോധനയും മറവും ചെയ്തുകൊണ്ടിരിക്കേണ്ട ഒരു ഘട്ടമാണോ ഇതെന്നു ഞാൻ ചോദിക്കുന്നു. അങ്ങനെയുള്ള ഒരു ഘട്ടമല്ല ഇതു". മിസ്റ്റർ മൂത്തേടൻ പറഞ്ഞ ഒന്നുണ്ടു കാര്യങ്ങളിൽ എനിക്കു ബഹുമാനം തോന്നുന്നുണ്ടു". അദ്ദേഹം ഈ ഉപക്ഷേപത്തെ എതിർത്തുകൊണ്ടു പറഞ്ഞ ചില ന്യായങ്ങൾ ഞാൻ വിലവെക്കുകയും ചെയ്യുന്നു. നിയമസഭയിലുള്ള മെമ്പർമാരെ ശമ്പളംകൊടുത്തു നിയമിച്ചതുകൊണ്ടു മന്ത്രി അവരുടെ സ്വാതന്ത്ര്യത്തെ ഇല്ലാതാക്കിയെന്നു പറയുന്നു. ആ ഒരു ന്യായം പറയാവുന്നതാണു". സഭകാര്യമായി ഞാനും അദ്ദേഹവുമായി പറഞ്ഞാൽ ഇതു രണ്ടും അറിയുകയില്ല കാര്യം തുറന്നു പറഞ്ഞെങ്കിലെ അതിനു മറുപടി പറയുവാൻ സാധിക്കയുള്ളു. ഈ അവസരത്തിൽ നോക്കേണ്ടതു് നിയമസഭാസാമാജികന്മാരെ വെച്ചോ ഇല്ലയൊ എന്നുള്ളതല്ല. എന്നിൽ അർപ്പിച്ചിട്ടുള്ള ഭാരം കൊച്ചിരാജ്യത്തിന്റെ രക്ഷ നോക്കുകയെന്നുള്ളതാണു". അതിനു ആരെയാണു് വിശ്വാസമുള്ളതു് എന്നുവെച്ചാൽ അവരെ വെക്കാതെ നിവൃത്തിയില്ല. അതു് നിയമസഭാസാമാജികന്മാരായാലും വേറെ പുറത്തുള്ളവരാലും ആ ആളുകളെ വെക്കുവാനുള്ള സ്വാതന്ത്ര്യം അതിന്റെ ലീഡർക്കു വേണമെന്നാണു് അദ്ദേഹം പറഞ്ഞതു". ആ ന്യായം സമ്മതിക്കേണ്ടതാണു". അതല്ലാതെ മറെറ കാര്യങ്ങളല്ല പറയേണ്ടതു". ഈ അവസരത്തിൽ നാഷണൽ വാർഫ്രണ്ടിനു ജനങ്ങളുടെയിടയിൽ പ്രചരണം നടത്തണമെന്നു നിങ്ങൾ പറയുന്നു. അപ്പോൾ അതിനു പററിയ സമർത്ഥന്മാരും വിശ്വാസമുള്ളവരുമായ ആളുകളെ വെക്കണം. അതിനു ഒ ാ കെ. ക്കും വ ഇ കെ. ക്കും ആളുകളെ കിട്ടുമെന്നു പറയുന്നതാണൊ പ്രചരണവേല. എന്റെ ദൃഷ്ടിയിൽ പ്രചരണവേല അതാണെന്നു എനിക്കു തോന്നുന്നില്ല. ഈ ഭാരം എന്റെ കീഴിൽ ഇരിക്കുന്നകാലത്തു് അതിനു ശരിക്കുള്ള പ്രചരണവേല ചെയ്യുമെന്നു വിശ്വാസമുള്ള ആളുകളെ വെക്കാതെ നിവൃത്തിയില്ല.

ഈ നിയമസഭാസാമാജികന്മാക്കു് എന്തെങ്കിലും പ്രതിഫലം സ്വീകരിക്കാമൊ ഇല്ലയൊ എന്നു വെച്ചുകൊണ്ടുള്ള തത്വം മാത്രമാണു് ഈ കട്ടുമോഷനിൽ ഉള്ളതു് എന്നുണ്ടെങ്കിൽ അതിനു പരക്കെ വോട്ടുചെയ്യേണ്ടതാണു". അല്ലെങ്കിൽ നാഷണൽ വാർഫ്രണ്ടിന്റെ പ്രചരണകാര്യത്തിൽ ഇങ്ങനെയുള്ള കട്ടുമോഷൻ കൊണ്ടുവരുന്നതു ശരിയല്ല. ഇവിടെ പറഞ്ഞ ആക്ഷേപങ്ങൾക്കു ഞാൻ മറുപടി പറഞ്ഞുകഴിഞ്ഞു എന്നു വിചാരിക്കുന്നു. ഞാൻ ഇതിനു പറഞ്ഞിട്ടുള്ള ന്യായം ശരിയാണെന്നു തോന്നുന്നപക്ഷം എന്റെ സ്നേഹിതൻ ഈ ഉപക്ഷേപം പിൻവലിക്കണമെന്നു ഞാൻ ആവശ്യപ്പെടുന്നു.

Mr. A. B. Salem *(Mattancheri):* I have taken great pains to understand not only what has been expressed by the Hon'ble Member but also what is implied in his speech. The charge is not that you have failed to make proper selection to the National War Front. I am sorry my motion has not been correctly read or it has been forgotten. I only charge the Minister for consenting to the policy of the Government to take members of this House to do work for which remuneration is paid. It is not connected with the work of this House. Let it be any work. The principle is there, that the hon'ble members of the house shall not be corrupted nor shall have the colour of corruption, in however remote a manner. They should not be granted remuneration for doing any kind of work other than Legislative Council work. Pay them for Legislative Council work. Did the Minister try to get men of his party or of any other party in the House for non-paid War Front Work. He said he has confidence in every one of us. Did he approach any one of us and ask whether we would do propaganda work without payment? Did he make any suggestion, any requisition, or any appeal, to any hon'ble member of this House, whether he would kindly do this kind of propaganda work as part time work without any honorarium or salary? I could very well understand, if the Minister had made an attempt and failed to get men, and then it is time to consider that he should have paid men who should be paid and their services obtained? That would be proper. But here it is not the case. Not one of us knew anything about it. There was a whisper given to the Minister during the last meeting by the Hon'ble Dr. A. R. Menon that you are trying to tamper with the Independence of these members by trying to give them money inducement for work. It was only after that

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that the subject came up. We expected the Hon'ble Minister to be more circumspect. He cannot justify his action. Suppose some other policy comes up for consideration. What can we expect from the Minister? Your selection has been very unhappy. If you had selected men in whom you had confidence from your own party, I would not have so much to say as far as the selection is concerned. Here you have selected members of the other party. That lends colour to the suggestion, an improper suggestion, that may be imputed by the public at large that you desired even to corrupt our party. Therefore, Sir, I would say one word more about the courage and courtesy.

We do not attack the national war appointments. I attack only the general policy underlying it and attack only the policy. I do not wish to attack the persons favoured by the Minister or the person of the Hon'ble Minister, and my friends are honourable and capable, all that I know. The Hon'ble Member for Planters asked where are the questions of those members against the Ministry and where are their reveberating voices?

Mr. M. K. Devassy *(Adur):* What accounts for the absence of questions is that so far as the transferred subjects are concerned, we get a voice in the ministerial party and there is no meaning in putting questions. And if you remove the transferred subjects questions, there would not be a single question in the House.

Mr. V. J. Mathai *(Planters):* The transferred half is not the only portion of Government.

Mr. A. B. Salem *(Mattancheri):* The only point is this. The public is not always very knowing public. The public will say that Mr. Viswambharan, the Hon'ble Member for Talappalli Ezhuvas and the Hon'ble Member for Adur and the Hon'ble Member for Cranganur (Special) are gentlemen of renown and standing, who shake the Legislative Council, when they stand up and speak. Now the public are saying "What has happened to them? They do not open their mouths." The answer of the carping critic, is that they get a piece of bread put into their mouth. That is the account we have been hearing and that is with reference to members of this House, which we are not prepared to hear. It may be that you may pocket all those sentences as you have got compensation in your pocket. But that may be quite alright. But then, we who are standing here are not prepared to have such kind of remarks floating about in the country about the hon'ble member colleagues of our own sitting in this House. That is our grievance. I therefore press this motion even at the risk of knowing that it will be lost.

Motion put and lost

Dr. A. R. Menon *(Trichur-North):* Poll, Sir.

Ayes

1. Mrs. C. R. Iyyunni
2. Mr. C. R. Iyyunni
3. Mr. A. B. Salem
4. Mr. P. K. Madhava Menon
5. Mr. K. Kochukunhan Kaimal
6. Dr. A. R. Menon
7. Mr. V. J. Mathai
8. Mr. N. Govinda Pai

Noes

1. Mr. P. Govinda Menon
2. Mr. Popatlal Goverdhan Lalan
3. Mr. A. Eachara Menon
4. Mr. M. Nanoo Menon
5. Mr. A. V. Moothedan
6. Mr. C. K. Nayar
7. Mr. C. V. Iyyu
8. Mr. K. R. Viswambharan
9. Mr. M. L. Joseph
10. Mr. T. A. Ramachandra Ayyar
11. Mr. K. Ayyappan
12. Mr. M. K. Devassy
13. Mr. P. Achyuta Menon
14. Mr. T. P. Poulose
15. Mr. K. S. Panicker
16. Mr. K. M. Ibrahim
17. Mr. K. Ashtamurthi Nambudiripad
18. Mr. C. Kunhan Nambudiripad
19. Mr. C. N. Ittiravi Nambudiri
20. Mr. B. M. Peter
21. Mr. C. J. Luiz
22. Mr. T. S. Ramachandra Ayyar
23. Rama Varmha Tampuran
24. Mr. C. J. Mathew
25. Mr. A. Madhava Prabhu
26. Mr. P. V. Raphael
27. Mr. M. Raman Menon
28. Mr. V. K. Aravindaksha Menon
29. Mr. T. Narayana Menon
30. Rao Sahib I. N. Menon
31. Khan Sahib Y. Mohamad Roshan Sahib
32. Mr. K. Karunakaran Nayar
33. Mr. T. K. Nayar
34. Mr. M. Sivarama Menon
35. Dr. T. Verghese

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Neutrals

1. Mr. V. N. Damodaran Nambiar
2. Mrs. A. N. Menon
3. Mr. Ismail Hajee Essa Sait
4. Mr. V. K. Kutty
5. Mr. P. K. Krishnan
6. Mr. E. Ikkanda Warriar

Point of order

Mr. K. M. Ibrahim *(Cranganur):* On a point of order Sir, I beg to bring to the kind notice of the Hon'ble President that a decision having been taken on cut motion No. 1, a discussion on cut motion No. 2, is barred by the Standing Orders, rules and the act itself; because only after the lapse of a particular duration of time can another vote of the House on the same subject be invited according to the provision in the rules.

Mr. President: The second cut motion is raised on different grounds. The objection is not raised to these persons being actually paid, but to their being paid without amending the law. I therefore rule out the point of order.

CUT MOTION No. 2

Evation of the principles underlying section 16 of the Government of Cochin Act

Mr. A. V. Moothedan *(Chalakkudi)*: Sir, I desire to move the following cut motion *"to reduce the allotment of Rs. 6,000 for the Minister for Rural Development by Re. 1". "The object is to censure the Hon'ble Minister for causing to evade the principles underlying section 16 of the Government of Cochin Act and the Cochin payment of Salaries and Allowances Act, without trying to amend the law or to get legislative sanction for the payment of certain members of his party. The Hon'ble Minister by thus influencing some of the hon'ble members to support his Ministry has lowered the dignity and the prestige of the House".*

I am very sorry that these two motions are not discussed together. Then much time would have been saved. It is the fundamental object of the Legislative Council to have free and independent criticism against the Government, and to have that free criticism we must have free members to criticise the Government according to their discretion. Members should not be obliged to the Government for any favour. Members should not receive any patronage from the Government. That is why section 16 of the Constitution Act has been enacted. It reads thus.—A person shall be disqualified for being chosen as, and for being a member of, the Legislative Council—

(*a*) if he holds any office of profit under His Highness or under any Municipal or Local Authority;

Provided that this shall not apply to a nominated member.

Explanation.—(1) The Minister appointed under this Act, or the Chairman or Vice-Chairman of a Municipal or Local Authority or the holder of any office in the Civil or Military Service under the Government, if the office is one which does not involve either of the following incidents, namely, that the incumbent—

(*i*) is a whole time servant of the Government, or

(*ii*) holds a pensionable office or is in pensionable service, within the meaning of the Cochin Service Regulations,

shall not be treated as a person holding an office of profit under His Highness under this section."

Then there is section 23 which reads as follows.—

"Members of the Legislative Council shall be entitled to receive such allowances as may from time to time be determined by the act of the Legislature and until provision in that respect is so made, as may be determined by rules under this Act."

Therefore, section 16 prohibits members receiving any money. But there is section 23 which enables the Government to legislate or enables the members to receive certain allowances. Now, the Minister's action in appointing members of this House without getting the law amended or without the previous sanction of this House is highly irregular. There is another aspect also. He has so manipulated the appointments that they may all support him. Now, a lady member has been appointed. I submit a more suitable lady cannot be found. Therefore the Hon'ble Minister appointed that lady. By that single fact alone it cannot be argued that it is a no-party affair. When the lady member is omitted, what is the balance? All unionist party members. Therefore, there are two charges, he has evaded the provisions of section 16 and then the Payment of Salaries and Allowances Act and he has so manipulated the appointments that he may get a stable Ministry. There has been a lot of argument on this point and I desire to place before the House only one aspect of the matter. Now, Sir, the Minister just now explained that the Maharaja desired that he should be appointed the National Leader and he took some

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